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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,135	03/31/2004	Seiji Okura	826.1942	4913
21171	7590	08/03/2009	EXAMINER	
STAAS & HALSEY LLP			JACKSON, JAKIEDA R	
SUITE 700				
1201 NEW YORK AVENUE, N.W.			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/813,135	OKURA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JAKIEDA R. JACKSON	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 April 2009.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12,16,17,19,20,22,23,25 and 26 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12,16,17,19,20,22,23,25 and 26 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the Office Action mailed December 22, 2008, applicant submitted an amendment filed on April 22, 2009, in which the applicant amended and requested reconsideration.

### ***Response to Arguments***

2. Applicant's argue that the prior art cited does not specifically teach the claims that have been amended for clarity. In particular, "obtaining a plurality of translated words being translation words of respective input words composing an input original sentence from a translated word dictionary file; ... translating the original sentence into a translated sentence, by selecting a translated word to be used in the translated sentence from the plurality of translated words obtained by the translated word obtaining unit and combining the selected translated words, "a translation unit translating the original sentence into translated sentence, by selecting a translated word ...; a speech recognition unit recognizing an input speech pronunciation and selecting another translated word other than the selected translated word and matching the input pronunciation, ... and outputting the another translated word as a result of the speech recognition; and a correction unit correcting the translated sentence translated by the translation unit by using the another translated word output from the speech recognition unit" and "recognizing an input speech pronunciation and selecting another translated word other than the selected translated word and matching the input pronunciation, ...

and ... correcting the translated sentence translated by the translation unit by using the another translated word. Applicant's arguments are not persuasive.

In particular, Applicant's explain that Koizumi's displayed 'word candidates' and displayed translations of the word candidates are not a translated sentence of the original sentence. However, Koizumi teach that these translated words are a result from a spoken recognition input (paragraphs 0047, 0058 and 0063). Therefore, Koizumi's translation is from an input/original pronounced recognition.

Applicant's then explain that the amended claims combine the selected translated words. However, according to paragraph 0047 of Koizumi it teaches that the translated words are displayed *together with* word candidates, which implies that multiple translated words are displayed at once. Therefore, Applicant's argument are not persuasive.

Applicants further explain that the prior art cited does not specifically teach translating the original sentence into a translated sentence by selecting a translated word.....and outputting another translated word. Applicant's point to paragraphs 0061-0064 of Koizumi, however, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Furthermore, Koizumi teaches that a user selects translated words and relevant sentence (paragraph 0047), which implies that the sentence translated can be another translated sentence other than the selected translated word. Therefore, Applicant's arguments are not persuasive.

Applicant's also explain that although a noun is indicated as grammatical information 705 in Koizumi's fig. 7, searching for a word and example sentence on the basis of the grammatical information is not described expressly or inherently by Koizumi. However, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., searching for a word and example sentence on the basis of the grammatical information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). However, according to the present claim language it recites a part of speech determination unit determining whether a part of speech of the other translated word differs from a part of speech of the translated word to be replaced with the other translated word. However, not only does Koizumi teach recognizing a person, place or thing, which is categorized as a noun and a condition is involved to determine if the slot can be replaced (paragraphs 0040-0042 and 0047-0048), but as Applicant's pointed out, figure 7 shows that the system determines part of speech, such as a noun, pronoun, verb etc. and replaces the information accordingly. The system will not replace a noun with a verb, as can be seen by paragraph 0041, where a place can be replaced with a post office or bus stop. Therefore, Applicant's arguments are not persuasive.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-12, 16-17, 19-20, 22-23, 25-26** are rejected under 35 U.S.C. 102(e) as being anticipated by Koizumi et al. (PGPUB 2005/0131673), hereinafter referenced as Koizumi.

Regarding **claims 1, 16, 19, 22 and 25**, Koizumi discloses a system, method and computer-readable storage medium (computer medium; paragraph 0064), hereinafter referenced as a system, for translating an original sentence, comprising:

a translation word obtaining unit obtaining a plurality of translated words being translation words of respective input words (word candidates) composing an input original sentence from translated word dictionary file (dictionary; paragraph 0047);

a translation unit translating the original sentence into a translated sentence (translation) by selecting a translated word to be used in the translated sentence (keyword) from the plurality of translated words obtained by the translated word obtaining unit (paragraphs 0014 and 0047) and combining the selected translated words (paragraphs 0047, 0058 and 0063);

a speech recognition unit (speech recognition; paragraph 0064) recognizing an input speech pronunciation (pronunciation; paragraph 0041) and selecting another translated word other than the selected translated word and matching input pronunciation, from the plurality of translated words (word candidates; paragraph 0047) obtained by the translated words and outputting the other translated word as a result of the speech recognition (paragraphs 0015 and 0061); and

a correction unit (correct) correcting the translated sentence translated by the translation unit by using the another translated word output form the speech recognition unit (paragraph 0061).

Regarding **claim 2**, Koizumi discloses a system:

wherein the translated word dictionary file relates and registers both a word used in the original sentence and a translated an input word for the word (previously registered; paragraph 0058); and

the system further comprises:

an extraction unit extracting a translated word related to each input word composing the input original sentence (paragraph 0015), wherein

said translation unit selects a translated word to be used in a translated sentence from a plurality of the translated words selected by the extraction unit (word candidates; paragraph 0047), and

said speech recognition unit selects a translated word matching to the input speech pronunciation (oral input) from a plurality of the extracted translated words

extracted by the extraction unit and have not been selected by said translation unit (paragraph 0015).

Regarding **claim 3**, Koizumi discloses a system comprising an instruction input unit instructing said system to replace some translated word composing the sentence translated by said translation unit with another translated word or to correct the whole translated sentence (replace; paragraphs 0032-0033) wherein when an instruction to correct the whole sentence translated by said translation unit is input to the instruction input unit (correct; paragraph 0061), said speech recognition unit divides (portion) information indicating the input pronunciation (pronunciation) and selecting a translated word matching the divided information from the plurality of translated words that correspond to the word but have not been selected by said translated unit (paragraph 0058).

Regarding **claim 4**, Koizumi discloses a system wherein when there is a translated word related to the translated word output from said speech recognition unit (speech recognition; paragraph 0064) in the translated words that correspond to the word but have not been selected by said translation unit (word candidates; paragraph 0047), said correction unit (correct) corrects the sentence translated by said translation unit, using both the translated words not selected by said translation unit and the translated words output from said speech recognition unit (paragraph 0061).

Regarding **claim 5**, Koizumi discloses a system wherein

if there is a relationship between translated words registered in said translated word dictionary file, information indicating the relationship is further registered (previously registered; paragraph 0058), and

if information indicating that a translated word that corresponds to the word but has not been selected by said translation unit has a relationship with the translated word outputted from said speech recognition unit is registered in said translated word dictionary file (dictionary; paragraph 0047), said correction unit (correct) corrects the sentence translated by said translation unit, using both the translated word not selected by said translation unit and the translated word outputted from said speech recognition unit (paragraph 0061).

Regarding **claim 6**, Koizumi discloses a system wherein when a part of speech of the another translated word output from said speech recognition unit differs from a part of speech of the translated word to be replaced before the correction, said correction unit re-translates using the another translated word the whole translated sentence input to the translation unit.

Regarding **claim 7**, Koizumi discloses a system wherein if the part of speech of the another translated word output from said speech recognition unit coincides with the part of speech (place/noun) of the translated word to be replaced before the correction, said correction unit partially replaces some translated word composing the sentence translated by said translation unit, with the another translated word output from said speech recognition unit (paragraphs 0041-0042 and 0047-0048).

Regarding **claim 8**, Koizumi discloses a system further comprising a category determination unit (category code) determining a category to which a topic of the original sentence inputted to said translation unit belongs, based on contents corrected by said correction unit (paragraphs 0041-0042 and 0047-0048), wherein when translating a newly inputted original sentence, said translation unit uses with priority a translated word that is frequently used in the category determined by said category determination unit (paragraphs 0006 and paragraphs 0041-0042 and 0047-0048).

Regarding **claim 9**, Koizumi discloses a system further comprising a translated word category information file storage unit (category code) storing a translated word category information file in which information indicating a category in which a translated word for a word used in an original sentence is frequently used is registered(paragraphs 0041-0042 and 0047-0048), wherein said category determination unit (category) determines a category in which a translated word used when said correction unit corrects the translated sentence is frequently used, based on information registered in the translated word category information file (paragraphs 0041-0042, 0047-0048 and paragraph 0058).

Regarding **claim 10**, Koizumi discloses a system comprising:  
a category determination unit determining a category to which a topic of an original sentence inputted to said translation unit belongs (category; paragraphs 0041-0042, 0047-0048 and paragraph 0058), wherein

information indicating a category in which a translated word registered in the translated word dictionary file is frequently used is further registered in the translated word dictionary file (paragraphs 0041-0042, 0047-0048 and paragraph 0058),

said category determination unit (category) determines a category in which a translated word used when said correction unit corrects the translated sentence is frequently used, based on information registered in the translated word category information file (paragraphs 0041-0042, 0047-0048 and paragraph 0058), and

when translating a newly inputted original sentence, said translation unit uses with priority a translated word that corresponds to a word used in the inputted original sentence, of a plurality of translated words registered in the translated word dictionary file if information indicating that the translated word is frequently used in a category determined by said category determination unit is registered in the translated word dictionary file (paragraphs 0041-0042, 0047-0048 and paragraph 0058).

Regarding **claims 11, 17, 20, 23 and 26**, Koizumi discloses a system, method, computer-readable storage medium and computer data (computer readable medium; paragraph 0064), hereinafter referenced as a system, for translating an original sentence, comprising:

a translation unit translating an input original sentence into a translated sentence (translated sentences; paragraphs 0032-0033) ;

a translated word input unit inputting other translation words corresponding to one of words composing the original sentence in order to replace a translation word

used in the translated sentence with the other translated word (word candidates; paragraphs 0047 and 0032-0033);

a part of speech determination unit (noun/place/organization) determining whether a part of speech of the other translated word differs from a part of speech of the translated word to be replaced with the other translated word (paragraphs 0040-0042 and 0047-0048 with figure 7); and

a correction unit (correct) re-translating the whole original sentence in order to correct the translated sentence, by using the other translated word, if according to the part of speech determination, the part of speech of the other translation word differs from the part of speech of the translation word to be replaced with the other translation word (paragraph 0061).

Regarding **claim 12**, Koizumi discloses a system wherein if the part of speech of the other translated word input to said translated word input unit coincides with the part of speech of the translated word to be replaced with the other translated word (place/noun), said correction unit partially replaces some translated word composing the sentence translated by said translation unit, with the other translated word input to the translated word input unit (paragraphs 0041-0042, 0047-0048, paragraph 0058 and paragraph 0015).

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAKIEDA R. JACKSON whose telephone number is (571)272-7619. The examiner can normally be reached on Monday-Friday from 5:30am-2:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jakieda R Jackson/  
Examiner, Art Unit 2626  
July 29, 2009

/David R Hudspeth/  
Supervisory Patent Examiner, Art Unit 2626